



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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February 11, 2000

TO: Internal File

THRU: Pam Grubaugh-Littig, Permit Supervisor *PL*

FROM: Wayne H. Western, Reclamation Specialist III *WHW*

RE: Highwall Elimination Plan at the Deer Creek Mine, Energy West Mining Co.
ACT/015/018

SUMMARY:

On February 9, 2000, I met with Chuck Semborski to discuss the Deer Creek Reclamation Plan. I told Chuck that the highwall elimination plan had not been approved by the Division. Chuck said "He had a letter from Daron Haddock confirming the Division's approved the plan." I checked the information in the PIC room and concluded that the highwall elimination plan for Deer Creek was never formally submitted or approved. The Division did review and agree with a conceptual plan submitted by Energy West. However, the highwall elimination plan was never formally approved. The Permittee may have mistaken the agreement with the conceptual plan to mean formal approval.

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

R645-301-553.500 and R645-301-553.600 outline the requirements for highwall elimination for continuously mined areas. The Division reviewed the Deer Creek highwall elimination plan in 1998 as part of an OSM oversight. The Division and OSM found the highwall elimination plan at Deer Creek to be inadequate. The Division required the Permittee to have an adequate highwall elimination plan. The following is a chronology of events that took place.

stated that the plan had not been formally reviewed by the Division. Chuck then stated "That he had a letter from the Division to support his claim."

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-553.500 and R645-301-553.600, The Permittee must submit a formal amendment for the highwall elimination.

RECOMMENDATIONS:

The Permittee should be informed that their highwall elimination plan has not been approved by the Division. If the Division finds the deficiencies in the December 6, 1999, submittal, then the Permittee should develop a highwall elimination plan as soon as possible.

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